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## TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

285-05

In re Application of: **Noriyuki Kikuchi**  
Application No.: **10/544,192**  
Filed: **August 2, 2005**  
For: **PALLET REPLACING DEVICE**

The owner, Making Milling Machine Co. Ltd. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/541,430, filed on July 5, 2005, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 26,036

/John J. Simkanich, regis. no. 26036/

January 15, 2008

Signature

Date

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215-568-4900

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included. (previously paid)

\*At the time the claimed invention was made the two inventions were owned by owner or subject to an obligation of Assignment. Said Assignments are recorded at REEL/FRAME 018125/0898 and 017543/0889

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